



DEPARTMENT OF ENVIRONMENTAL PROTECTION  
MONTGOMERY COUNTY, MARYLAND



NOISE WAIVER CERTIFICATE

**ISSUED TO:** Flippo Construction Company, Inc. c/o Oshia Epps  
*Owner/Operator*

**Valid From:** 06/01/2021

**Valid To:** 06/30/2021

**Type of Waiver:** Temporary

**Authorizing:**

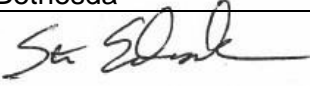
Nighttime construction for installation of wet utility service upgrades related to the Avocet Tower Project, 7373 Wisconsin Ave., Bethesda. Work will occur in portions of Montgomery Ave. from Wisconsin Ave to Pearl St. Nighttime work is being required by the Maryland State Highway Administration (SHA) and is designed to minimize traffic congestion, pedestrian safety concerns, and impacts to local businesses caused by daytime lane closures on Montgomery Ave. The work includes cutting of asphalt, excavation, pipe placement, backfilling and compaction, asphalt patching, milling, and repaving and shall be performed under the following conditions:

1. The designated work hours are 9:00 p.m. to 5:00 a.m. Sunday through Thursday.
2. All reasonable efforts should be made to perform the noisiest activities as early in evening as possible, or during daytime hours.
3. It is recommended that all machinery and trucks utilized at this job site be outfitted with OSHA approved white noise back-up alarms.
4. The unnecessary backing of machinery and trucks with traditional tonal backup alarms must be avoided, and the work site shall be configured to minimize the backing of trucks removing and delivering materials and equipment.
5. Machinery shall be inspected daily and equipped with proper noise attenuation measures to minimize construction noise, including, but not limited to well-maintained and effective mufflers. Moving parts shall be well lubricated to avoid unnecessary noise from squeaking parts. Machinery access doors and hatches should remain closed when the units are in operation and all machinery should be operated at the minimum level necessary to get the job done. Minimize banging, clattering, buzzing and other annoying types of noises.
6. Noise mitigation barriers should be erected to minimize noise impacts to nearby hotels, and around loud pieces of stationary machinery (e.g., generators, pumps, etc.)
7. All onsite staff, including delivery truck drivers, should be notified of noise mitigation procedures prior to work. Dump truck tailgate slamming/banging is prohibited.
8. Where possible, the local power grid should be used to reduce the use of internal combustion powered machinery.
9. Prolonged idling of machinery and vehicles must be avoided. If machinery or vehicles are not utilized for long periods, they should be shut off to reduce idling noise.
10. Regular communications must be provided to nearby hotels and residential buildings, so they are aware of the work schedule and expected noise related to construction activities.
11. Noise levels should be monitored at sensitive receptor locations and kept in a log on site, which shall be available for inspection and review upon request.
12. A log must be maintained on site containing detailed information concerning any complaints received regarding noise from this construction project.
13. DEP may suspend or revoke this approval for any violation of the terms and conditions, and may make modifications to the terms and conditions based on the results of noise monitoring or the noise impact of certain activities. (Case 20202909 Second 30-Day Extension)

**(This certificate must be available at the work site)**

**Location of Work:** Montgomery Ave., Waverly St.

**Town:** Bethesda **Zip:** 20814

**Approved By:**  **Date:** 05/25/2021  
Department of Environmental Protection

Cc: Ken Hartman, Bethesda Regional Services Center  
MC Police, 2nd District, Bethesda Station  
Stan Edwards, MC DEPC

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INFORMATION CONCERNING THIS CERTIFICATE CAN BE OBTAINED FROM  
MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
2425 REEDIE DR., 5<sup>TH</sup> FLOOR, WHEATON, MARYLAND 20902  
(240) 777-7746

<https://www.montgomerycountymd.gov/DEP/contact/noise-documents.html#wavers>